

DEVELOPMENT REVIEW BOARD REPORT



MEETING DATE: June 15, 2006

ITEM NO. _____

CASE NUMBER/ PROJECT NAME	94-DR-2005 Windgate Crossing		
LOCATION	Northwest corner of Thompson Peak Parkway and Bell Road		
REQUEST	Request approval of a site plan and elevations for a mixed use retail/office center.		
OWNER	Windgate Crossing LLC/ Byxbee Development Partners 480-502-9720	ENGINEER	Hunter Engineering 480-991-3985
ARCHITECT/ DESIGNER	Butler Design Group LLC 602-957-1800	APPLICANT/ COORDINATOR	Charles Byxbee Byxbee Development Partners 480-502-9720
BACKGROUND	<p>Zoning.</p> <p>The property is zoned Central Business, Environmentally Sensitive Lands District (C-2 ESL). The C-2 ESL District is intended to allow commercial activities designed to serve the community while providing appropriate development for environmentally sensitive lands.</p> <p>Related References:</p> <p>Case 24-Z-1991 rezoned this property as part of an 800-acre master plan. Case 1-MP-2004 approved the Infrastructure and Environmental Design Master Plans for this master planned community</p> <p>Context.</p> <p>The 7.8-acre site is located at the northwest corner of E. Bell Road and N. Thompson Peak Parkway. Directly to the north and west is vacant State Land, and further to the north and west is the Windgate Ranch community under construction. To the south are commercial development and the McDowell Mountain Ranch Master Planned Community, and to the east across N. Thompson Peak Parkway is the Planned McDowell Sonoran Preserve. The site slopes to the southwest with slopes in the 2% to 5% range, with much of the washes cut-off by the construction of N. Thompson Peak Parkway.</p> <p>Adjacent Uses:</p> <ul style="list-style-type: none">• North: Vacant and residential, zoned C-O ESL and R1-7 ESL• South: Commercial center, zoned PCC ESL		

- East: Planned McDowell Sonoran Preserve, zoned R1-10 ESL
- West: Vacant and residential, zoned C-O ESL and R1-7 ESL

APPLICANT'S PROPOSAL

Applicant's Request.

This is a request for site plan and elevation approval of the first phase of a commercial center. The project will consist of a 12,900 square foot drug store, a 4,500 square foot bank, and two retail buildings having 19,600 square feet.

Development Information:

- Existing Use: Vacant
- Proposed Use: Commercial center
- Parcel Size: 7.8 acres
- Building Size:
 - Retail A: 12,900 square foot drug store
 - Retail B: 11,300 square foot shops
 - Retail C: 8,300 square foot shops
 - Bank: 4,500 square feet
- Building Height Allowed: 36 feet
- Building Height Proposed: 24-30 feet
- Parking Required: 210 spaces
- Parking Provided: 265 spaces
- Open Space Required: 66,716 square feet
- Open Space Provided: 81,097 square feet
- FAR: .25 allowed / .11 provided

DISCUSSION

The pair of retail buildings will be located in the northeast corner of the site with connecting courtyards having views of the McDowell Mountains to the northeast. The bank and drugstore will be at a lower grade elevation than the shops, and will be oriented toward Bell Road. A future 2-story office building (Phase II) is planned to the west, which will likely be part of a larger office development anticipated on the vacant adjacent State Land parcel. Walkways and driveways will connect all buildings.

The buildings all have similar southwest hacienda design with a desert palette of colors and materials, including mortar wash slump block, painted concrete panels, Spanish tile roofing, and stucco trim. Detailing will include covered arcades, freestanding pergolas, layered wall surfaces, and articulated piers.

Natural Area Open Space (NAOS) areas will be provided primarily along the roads and in an area between the bank and pharmacy, as well as along the northwest side the site. It is anticipated that additional NAOS areas will be provided as a buffer between the future development of the State Land parcel and the residential development further west. Additional landscaping has been stipulated to be added on the east and south sides of the drugstore building (Retail A). Desert landscaping will be provided throughout the development, with modifications as necessary to adhere to the ESL plant list.

Architecture style, building height, building materials and colors, landscaping, and buffered setbacks provided along adjacent roads are consistent with Case 24-

Z-1991 and Case 1-MP-2004 master plan documents.

KEY ISSUE

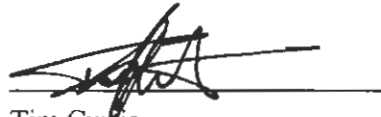
The relationship between the architectural design of the drugstore building (Retail A) and the shape and bulk of the drive through canopy.

**STAFF
RECOMMENDATION**

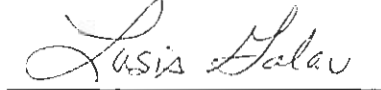
Staff recommends approval, subject to the attached stipulations.

STAFF CONTACT(S)

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Principal Planner
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E-mail: tcurtis@ScottsdaleAZ.gov

APPROVED BY

Tim Curtis
Report Author



Lusia Galav, AICP
Current Planning Director
Phone: 480-312-2506
E-mail: lgalav@scottsdaleAZ.gov

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Zoning Map
4. Site Plan
5. Landscape Plan
6. Elevations
- A. Fire Ordinance Requirements
- B. Stipulations/Zoning Ordinance Requirements

WINDGATE CROSSING

PROPOSED RETAIL/OFFICE DEVELOPMENT

NWC Bell Road & Thompson Peak Parkway

Scottsdale, Arizona

Developed by: Byxbee Development

Architect: Butler Design Group, Inc.

Windgate Crossing is located at the Northwest corner of Bell Road and Thompson Peak Parkway in Scottsdale, Arizona. The site is zoned C-2 (Central Business District) which allows for the development of office and retail uses. This project will consist of a 12,900 s.f. CVS Drug Store located on the Southeast corner, a 4,500 s.f. Bank of America that will accommodate a drive use, located on the Southwest corner, and a 19,694 s. f. of Shops in 2 freestanding retail shops buildings. A pair of shops buildings will be located in the Northeast corner of the site with a connecting courtyard, patio and landscape area.

Phase Two proposes a 32,000 s.f. 2-story office building, with an underground parking structure integral with the building footprint.

The Building design will be consistent with other North Scottsdale developments consisting of a desert-sensitive palette of colors and materials including mortar wash slump block, painted concrete panels, Spanish tile roofing, and EIFS trim. Detailing will include covered arcades, and freestanding pergolas, along with layered wall surfaces and articulated piers. Building colors will be in harmony with the desert environment, deriving tones from the earth and native plants. Hardscape materials, seating areas and planters will be designed in unison with the architectural theme to create a seamless connection between buildings and landscape.

Thompson Peak Parkway, which is currently under construction, is currently projected to complete in June of 2006.



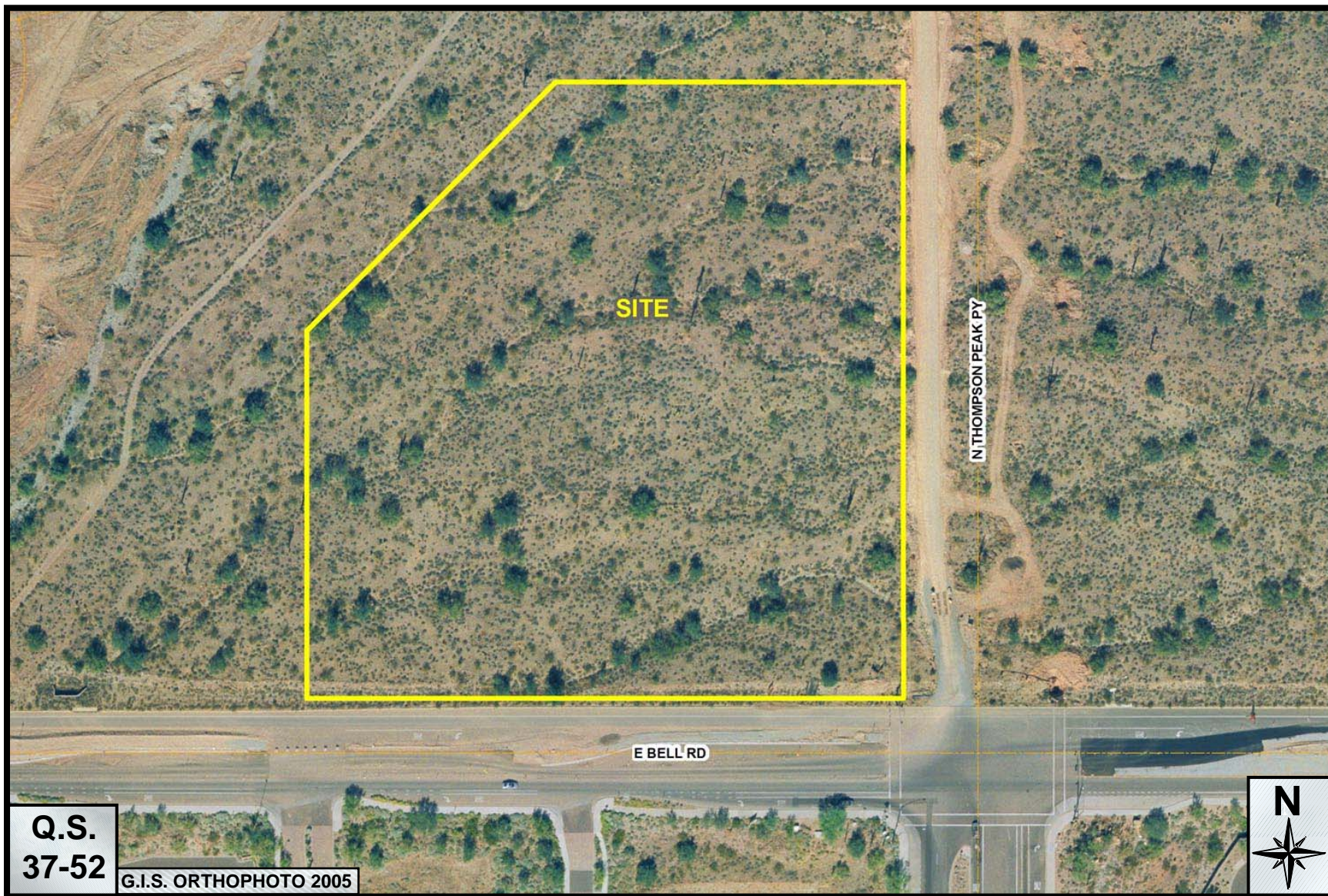
Q.S.
37-52

G.I.S. ORTHOPHOTO 2005

Windgate Crossing

94-DR-2005

ATTACHMENT #2



Q.S.
37-52

G.I.S. ORTHOPHOTO 2005

SITE

N THOMPSON PEAK PY

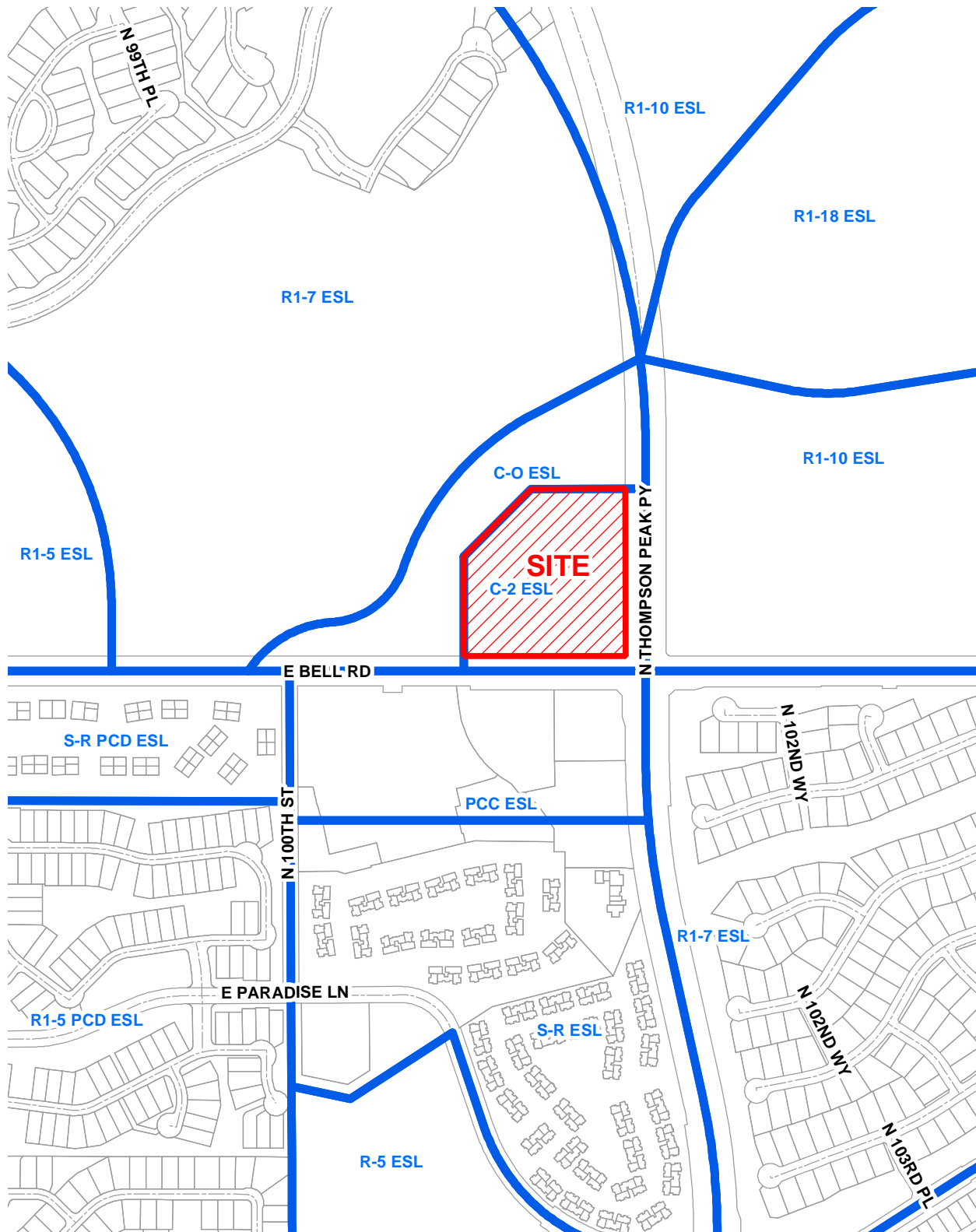
E BELL RD



Windgate Crossing

94-DR-2005

ATTACHMENT #2A

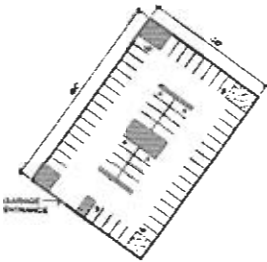


94-DR-2005

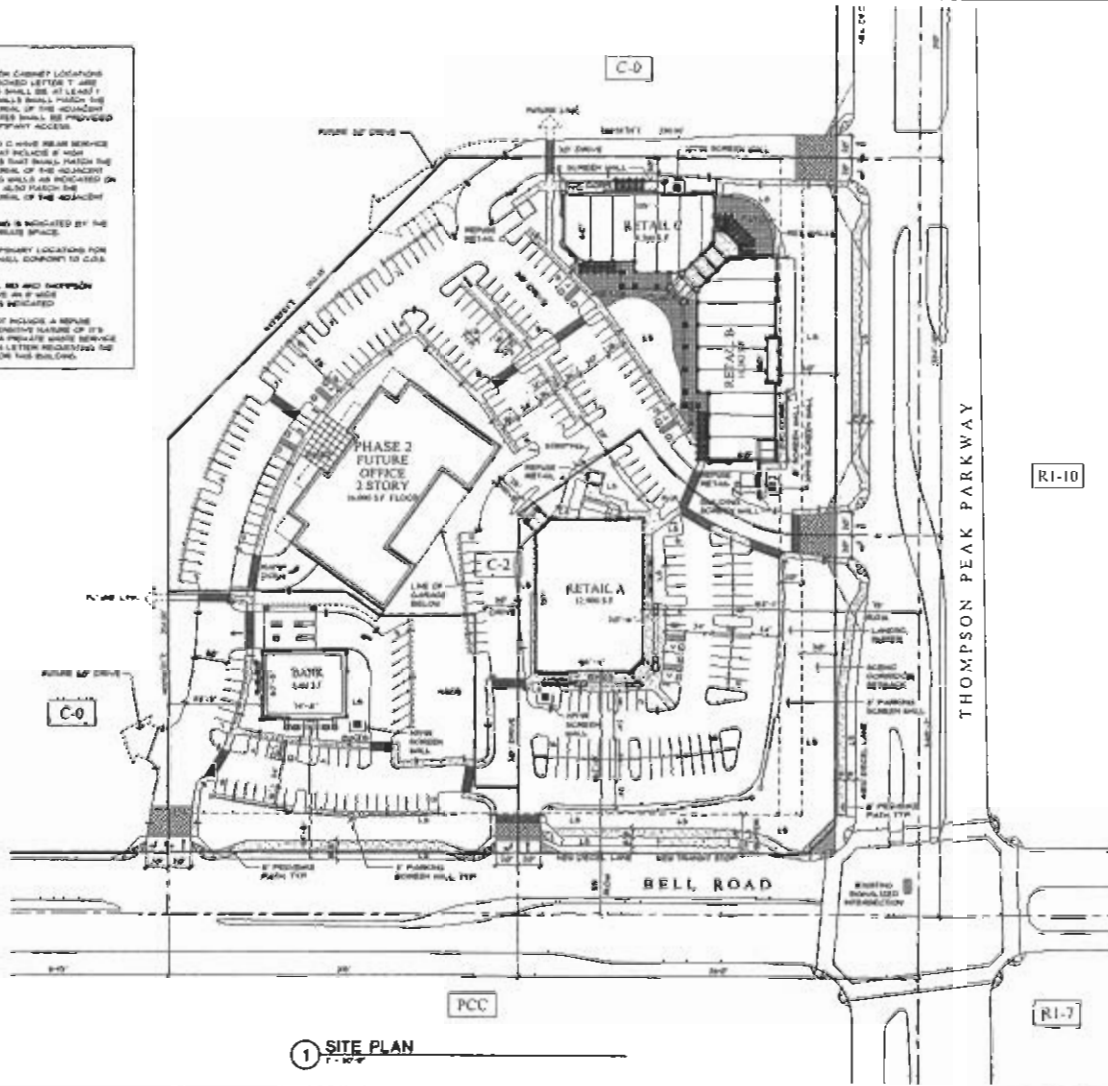
ATTACHMENT #3

I

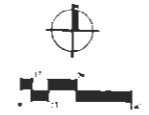
- NOTES:
1. ELECTRICAL TRANSFORMER CANNOT LOCATIONS SHOWN AS INDICATED BY A BOLD LETTER T ARE SCHEMATIC. LOCATIONS SHALL BE AT LEAST 1' ABOVE TOP OF CURBSET. SHALL MATCH THE RETAIL COLOR AND MATERIAL OF THE ADJACENT BUILDING. DISCREPANCY SHALL BE PROVIDED AS NEEDED FOR UTILITY COMPANY ACCESS.
 2. RETAIL BUILDINGS B AND C HAVE REAR SERVICE CORRIDORS OPEN AND THAT INCLUDE 8' HIGH DECORATIVE SCREEN WALLS THAT SHALL MATCH THE RETAIL COLOR AND MATERIAL OF THE ADJACENT BUILDING. LOWER RETAINED WALLS AS INDICATED ON THE CIVIL DRAWINGS SHALL ALSO MATCH THE RETAIL COLOR AND MATERIAL OF THE ADJACENT BUILDING.
 3. VAN ACCESSIBLE PARKING IS INDICATED BY THE LETTER 'V' AT THE APPROPRIATE SPACE.
 4. BIKES INDICATES PRELIMINARY LOCATIONS FOR BICYCLE PARKING WHICH SHALL CONFORM TO C.O.B. AND DETAILS.
 5. FENCIBLES ALONG BELL RD AND THOMPSON PEAK PARKWAY SHALL HAVE AN 8' HIGH PERIMETER FENCE WITH A 6' HIGH POST-AND-RAIL FENCE AS INDICATED.
 6. THE BASIC SITE DOES NOT INCLUDE A REPAIR BUILDING. DUE TO THE SENSITIVE NATURE OF ITS WORK, IT CONTRACTS WITH A PRIVATE WAREHOUSE SERVICE. THE BAKERY HAS PROPOSED A LETTER INDICATING THE REQUIREMENT BY BAKERY FOR THE BUILDING.



2 FUTURE GARAGE PLAN (61 SPACES)
1" = 20'



1 SITE PLAN
1" = 10'



SITE DATA

OVERALL SITE AREA	30.65 A.C. (17.31 ACRES)
BUILDING AREA GROSS	68,811 S.F.
BUILDING AREA NET	64,147 S.F.
CONCRETE	10.0%
ASPHALT	2.0%
PARKING PROVIDED	328 SPACES
PARKING RATIO	1:1,000
PARKING REQUIRED	311 SPACES
RETAIL A (12,000 SF @ 1:200)	24 SPACES
RETAIL B (12,000 SF @ 1:200)	24 SPACES
RETAIL C (12,000 SF @ 1:200)	24 SPACES
OFFICE (10,000 SF @ 1:200)	20 SPACES
WAREHOUSE (4,000 SF @ 1:200)	16 SPACES
DRIVE (2,000 SF @ 1:200)	16 SPACES
TOTAL REQUIRED PARKING	311 SPACES

SITE AREA	30.65 A.C. (17.31 ACRES)
RETAIL A	12,000 S.F. (0.27 ACRES)
RETAIL B	12,000 S.F. (0.27 ACRES)
RETAIL C	12,000 S.F. (0.27 ACRES)
OFFICE	10,000 S.F. (0.23 ACRES)
WAREHOUSE	4,000 S.F. (0.09 ACRES)
DRIVE	2,000 S.F. (0.05 ACRES)

VICINITY MAP



Butler Design Group
Architects & Planners
6655 Feet Van Buren St. Suite 215
Phoenix, Arizona 85008
phone: 602-957-9900
fax: 602-957-7722

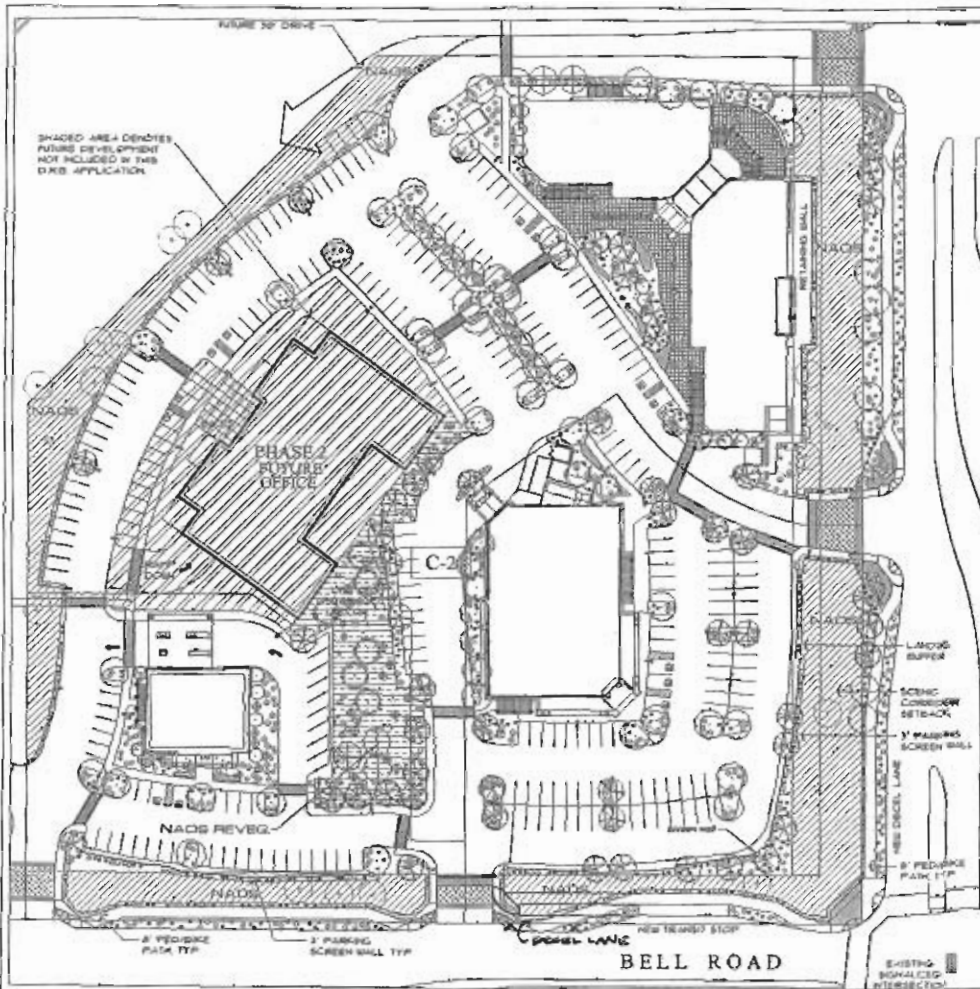
BYXBEE
DEVELOPMENT PARTNERS
COWEN
COMMERCIAL, LLC

WINDGATE CROSSING

PROPOSED RETAIL/OFFICE DEVELOPMENT
SCOTTSDALE, ARIZONA



94-DR-2005
REV: 4/6/06



Conceptual Landscape Plan

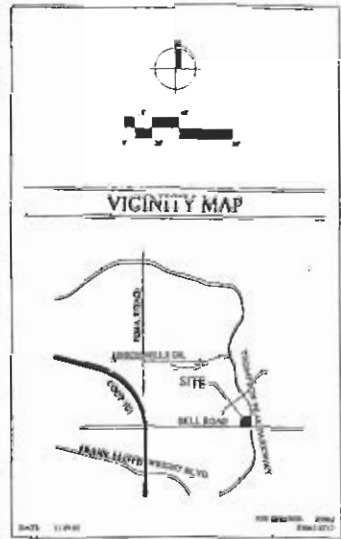
CONCEPTUAL LANDSCAPE LEGEND

ALL TREES TO BE PLANTED AND SPECIFICATIONS
 (UNLESS OTHERWISE NOTED) TO BE 10' TO 12' DBH
 # - This plant shall be used in ESC/DI NADES areas

TREES	TYPE	SIZE
Perennial Barkless Blue Palm Tree	Male Tree	12' DBH
Perennial Barkless Blue Palm Tree	Female Tree	12' DBH
Perennial Barkless Blue Palm Tree	Male Tree	12' DBH
Perennial Barkless Blue Palm Tree	Female Tree	12' DBH
Perennial Barkless Blue Palm Tree	Male Tree	12' DBH
Perennial Barkless Blue Palm Tree	Female Tree	12' DBH
Perennial Barkless Blue Palm Tree	Male Tree	12' DBH
Perennial Barkless Blue Palm Tree	Female Tree	12' DBH
Perennial Barkless Blue Palm Tree	Male Tree	12' DBH
Perennial Barkless Blue Palm Tree	Female Tree	12' DBH

SHRUBS / ACCENTS	SIZE	TYPE
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH

GROUNDCOVERS	SIZE	TYPE
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH
Casearia mediana	Male Tree	12' DBH
Casearia mediana	Female Tree	12' DBH



Conceptual Landscape Plan

The site will be maintained in accordance with City of Scottsdale standards.

10% of all trees will be 12' DBH or larger.

An automatic irrigation system will be installed guaranteeing 100% coverage in all landscape areas.

Landscaping shall be 2' minimum thickness (unless sample to Landscape Architect for approval).

Plants to be installed shall be 100% coverage in all landscape areas.

All materials and be done so that all water drains away from buildings, structures and will not impact natural drainage patterns.

Structure and landscaping within a 10' margin measured back 10' from property line and 10' along property line on each side of the driveway entrance will be maintained at a minimum height of 2'.

All final landscape plans to meet City of Scottsdale minimum standards for quantity and type.



WINGATE CROSSING PROPOSED RETAIL OFFICE DEVELOPMENT SCOTTSDALE, ARIZONA





- A Mortar Washed Slump Block
- B Dunn Edwards Camouflage DE 112
- C Dunn Edwards Sand Dollar DE 8171
- D Dunn Edwards Bungalow Taupe DE 8172
- E Dunn Edwards Veranda Gold DE 8187
- F Dunn Edwards Rice Bluff DE 8193
- G Redland Clay Tile Old Sedona Blend
- H Okon Charcoal oxide

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DEVELOPMENT PARTNERS
COWEN
COMMERCIAL, LLC

WINDGATE CROSSING

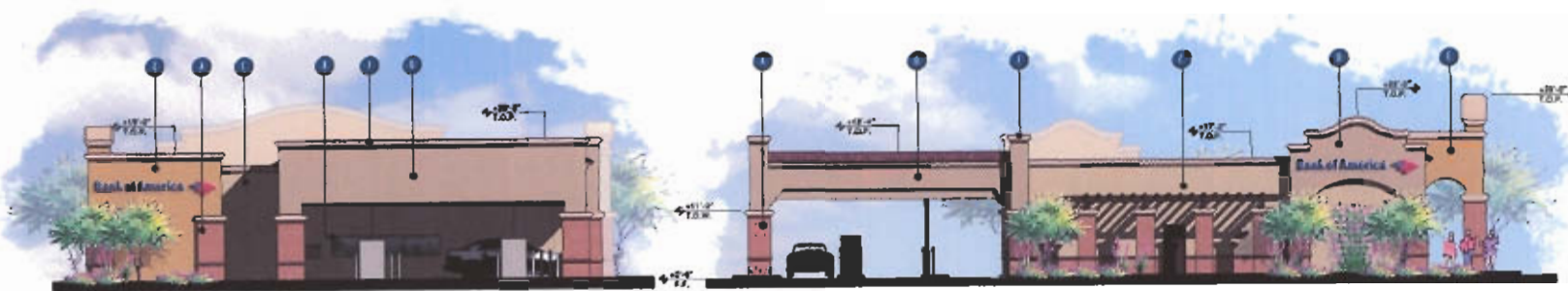
PROPOSED RETAIL/OFFICE DEVELOPMENT
NWC BELL ROAD & THOMPSON PEAK PARKWAY
SCOTTSDALE, ARIZONA
5062

94-DR-2005
05/12/2006

05/10/06
Bd
Butler Design Group, Inc.
ARCHITECTS & PLANNERS



- A Montar Washed Slump Block
- B Dunn Edwards Camouflage DEB 172
- C Dunn Edwards Desert Floor DE 6188
- D Dunn Edwards Paper Stack DE 6173
- E Dunn Edwards Miranda Gold DE 6187
- F Dunn Edwards Bungalow Taupe DE 6172
- G Redland Clay Tile Old Sedona Blend
- H Oken Charcoal OKS28



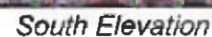
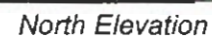
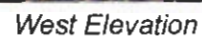
WINDGATE CROSSING PROPOSED RETAIL/OFFICE DEVELOPMENT NWC BELL ROAD & THOMPSON PEAK PARKWAY SCOTTSDALE, ARIZONA 5062

BYXBEE
 DEVELOPMENT PARTNERS

COWEN
 COMMERCIAL, LLC

12.5.05
Bd
 Butter Design Group, Inc.
 architects & planners

94-DR-2005
 05/12/2006



- | | | |
|---|---|---|
| A |  | Mortar Washed
Slump Block |
| B |  | Dunn Edwards
Camouflage
584 172 |
| C |  | Dunn Edwards
Desert Floor
6166 |
| D |  | Dunn Edwards
Paper Shack
26 6173 |
| E |  | Dunn Edwards
Veranda Gold
61 6167 |
| F |  | Dunn Edwards
Bungalow
06 6179 |
| G |  | Redfang Clay Tile
Old Sedona Blend |
| H |  | Okon
Charcoal
D4324 |

WINDGATE CROSSING

PROPOSED RETAIL/OFFICE DEVELOPMENT

NWC BELI. ROAD & THOMPSON PEAK PARKWAY

SCOTTSDALE, ARIZONA

5062

94-DR-2005

05/12/2006

Windgate Crossing
NWC Thompson Peak Parkway & Bell Road
Scottsdale AZ

FIRE ORDINANCE REQUIREMENTS

(INCORPORATE INTO BUILDING PLANS AS GENERAL NOTE BLOCK - USE ONLY THE DESIGNATED STIPULATIONS)

- ☒ 1. PREMISES IDENTIFICATION TO BE LEGIBLE FROM STREET OR DRIVE & MUST BE ON ALL PLANS.
- ☒ 2. FIRE LANES & EMERGENCY ACCESS SHALL BE PROVIDED & MARKED IN COMPLIANCE WITH CITY ORDINANCE & IFC AT THE FOLLOWING LOCATIONS.
tbd

- ☐ 3. IT IS THE DEVELOPERS RESPONSIBILITY TO DETERMINE ULTIMATE COMPLIANCE WITH THE FAIR HOUSING ADMENDMENTS ACT & AMERICANS WITH DISABILITIES ACT & INCORPORATE SAME INTO THEIR BUILDING PLANS.
- ☒ 4. SUBMIT PLANS & SPECS FOR SUPERVISED AUTOMATIC EXTINGUISHING SYSTEM FOR ALL COOKING APPLIANCES, HOOD PLENUMS & EXHAUST DUCTS.
- ☒ 5. PROVIDE A KNOX ACCESS SYSTEM:
x A. KNOX BOX
☐ B. PADLOCK
☐ C. KNOX OVERRIDE & PRE-EMPTION STROBE SWITCH FOR AUTOMATIC GATES.
- ☒ 6. INSTALL AN AS BUILT DRAWING CABINET ADJACENT TO THE FIRE SPRINKLER RISER. IT SHALL BE OF ADEQUATE SIZE TO ACCOMMODATE BOTH THE FIRE SPRINKLER & FIRE ALARM DRAWINGS. THE CABINET SHALL BE PROVIDED WITH A LOCK & KEYED TO MATCH THE FIRE ALARM CONTROL PANEL & SUPERVISED BY THE FACP IF APPLICABLE.
- ☐ 7. SUBMIT PLANS FOR A CLASS tbd FIRE ALARM SYSTEM PER SCOTTSDALE REVISED CODES.
- ☒ 8. PROVIDE INTERIOR TENANT NOTIFICATION WHEN OFF-SITE MONITORING IS REQUIRED.
(SEE FIRE ALARM INTERPRETATIONS FOR CLARIFICATION)
- ☒ 9. ADD 2-1/2" WET FIRE HOSE VALVES (NSHT) IF FLOOR
AREA EXCEEDS 10,000 SQ. FT. PER FLOOR LEVEL AND/OR IF FIRE DEPT. ACCESS IS LIMITED TO LESS THAN 360°.

- ☒ 10. BUILDINGS MAY BE SUBJECT TO INSTALLATION AND TESTING REQUIREMENTS FOR A PUBLIC SAFETY RADIO AMPLIFICATION SYSTEM.
- ☒ 11. BACKFLOW PREVENTION WILL BE REQUIRED ON VERTICAL RISER FOR CLASS 1 & 2 FIRE SPRINKLER SYSTEMS PER SCOTTSDALE REVISED CODE.
- ☒ 12. PROVIDE ALL WEATHER ACCESS ROAD (MIN. 20") TO ALL BUILDINGS & HYDRANTS FROM PUBLIC WAY DURING CONSTRUCTION.
- ☒ 13. SEE APPROVED CIVILS FOR THE NUMBER OF FIRE HYDRANTS REQUIRED. DEVELOPER SHALL HAVE THE REQUIRED HYDRANTS INSTALLED & OPERABLE PRIOR TO THE FOOTING INSPECTION. HYDRANTS SHALL BE SPACED AT A MAXIMUM OF 700' AT 2375 GPM. THE DEVELOPER SHALL MAKE THE C.O.S. APPROVED CIVIL WATER PLANS AVAILABLE TO THE FIRE SPRINKLER CONTRACTOR.
- ☒ 14. PORTABLE FIRE EXTINGUISHERS SHALL BE INSTALLED. SEE SHEET(S) tbd
- ☒ 15. EXIT & EMERGENCY LIGHTING SHALL COMPLY WITH THE C.O.S. ORDINANCE & THE IFC. SEE SHEETS tbd
- ☒ 16. SUBMIT MSDS SHEETS & AGGREGATE QUANTITY FOR ALL HAZARDOUS MATERIALS INCLUDING FLAMMABLES, PESTICIDES, HERBICIDES, CORROSIVES, OXIDIZERS, ETC. A PERMIT IS REQUIRED FOR ANY AMOUNT OF HAZARDOUS MATERIALS STORED, DISPENSED, USED OR HANDLED. COMPLETE AN HMMP & SUBMIT WITH THE BUILDING PLANS.
- ☒ 17. FIRELINE, SPRINKLER & STANDPIPE SYSTEM SHALL
BE FLUSHED & PRESSURE TESTED PER NFPA STANDARDS & SCOTTSDALE REVISED CODES.
- ☒ 18. FDC SIAMESE CONNECTIONS FOR SPRINKLERS AND/OR STANDPIPES WILL BE LOCATED PER ORDINANCE AND/OR AT AN APPROVED LOCATION. MINIMUM SIZE 2-1/2 x 2-1/2 x tbd (NSHT)
☐ 4' TO 8' BACK OF CURB; INDEP. WET LINE.
☐ WALL MOUNTED - 15' CLEAR OF OPENINGS.
- ☒ 19. ADEQUATE CLEARANCE SHALL BE PROVIDED AROUND FIRE RISER. DIMENSIONS FROM FACE OF PIPE SHALL MEASURE A MINIMUM OF 12" OFF THE BACK OF WALL, 18" ON EACH SIDE & 36" CLEAR IN FRONT WITH A FULL HEIGHT DOOR. THE FIRE LINE SHALL EXTEND A MAXIMUM OF 3' INTO THE BUILDING FROM INSIDE FACE OF WALL TO CENTER OF PIPE.

20. ☒ SPRINKLER SYSTEM SHALL BE INSTALLED TO COMPLY WITH MINIMUM NFPA CRITERIA 2002 EDITION & SCOTTSDALE REVISED CODES. SYSTEMS WITH 100 HEADS OR MORE SHALL HAVE OFF-SITE MONITORING. AFTER BUILDING PLAN REVIEW, INSTALLING CONTRACTOR SHALL SUBMIT (3) THREE COMPLETE SETS OF DRAWINGS & HYDRAULIC CALCULATIONS REVIEWED BY A MINIMUM NICET III DESIGN TECHNICIAN.
- ☐ A. MODIFIED NFPA 13-D SYSTEM WITH RESIDENTIAL QUICK RESPONSE SPRINKLER HEADS (2002 EDITION)
- ☐ B. MODIFIED NFPA 13R SYSTEM (2002 EDITION) WITH RESIDENTIAL QUICK RESPONSE SPRINKLER HEADS IN DWELLING UNITS & ATTIC AREAS FED FROM SEPARATE FIRELINE PER C.O.S. ORDINANCE & INTERPRETATIONS & APPLICATIONS. CALCULATE UP TO FOUR REMOTE HEADS & 900 SQ FT MIN. IN ATTIC.
- ☒ C. NFPA 13 2002 EDITION COMMERCIAL SYSTEM / DESIGN CRITERIA: Ord. II (Retail) Lt. Hazard (office) SEISMIC DESIGN CATEGORY SHALL BE DETERMINED BY STRUCTURAL ENGINEER.
- ☐ D. THE FIRE SPRINKLER SYSTEM DESIGN FOR WAREHOUSE / STORAGE OCCUPANCIES SHALL BE BASED ON THE FULL HEIGHT CAPACITY OF THE BUILDING PER SCOTTSDALE REVISED CODE. DENSITY CRITERIA:
- ☐ E. SPRINKLER DESIGN CRITERIA FOR UNSPECIFIED WAREHOUSE COMMODITIES: .45 OVER 3000 SQ. FT.
- ☐ F. THE PROJECT SPECIFICATIONS SHALL BE SUBMITTED WITH CONTRACT DRAWINGS.

Submit three (3) complete sets of drawings submitted by installing contractor, after building plan review is complete. Please refer questions to Fire Dept. Plan Review, 312-7070, 312-7684, 312-7127, 312-2372.

Stipulations for Case: Windgate Crossing Case 94-DR-2005

Unless otherwise stated, the applicant agrees to complete all requirements prior to final plan approval, to the satisfaction of Project Coordinator and the Final Plans staff.

PLANNING

APPLICABLE DOCUMENTS AND PLANS:

DRB Stipulations

1. Except as required by the City Code of Ordinances, Zoning Regulations, Subdivision Regulations, and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
 - a. Architectural elements, including dimensions, materials, form, color, and texture, shall be constructed to be consistent with the building elevations submitted by Butler Design Group, Inc with a staff receipt date of 5/12/05.
 - b. The location and configuration of all site improvements shall be constructed to be consistent with the site plan submitted by Butler Design Group, Inc with a staff receipt date of 4/6/06.
 - c. Landscaping, including quantity, size, and location of materials shall be installed to be consistent with the conceptual landscape plan submitted by Laskin & Associates, INC. with a staff receipt date of 4/3/06.

ARCHITECTURAL DESIGN:

DRB Stipulations

2. *The drugstore building (Retail A) elevations shall be revised to provide a trellis along the Bell Road and Thompson Peak Parkway elevations to extend from the arcade to the end of the building.*
3. *All exterior window glazing shall be recessed a minimum of fifty (50) percent of the wall depth. The amount of recess shall be measured from the face of the exterior wall to face of glazing, exclusive of external detailing.*
4. *All exterior doors shall be recessed a minimum of thirty (30) percent of the wall depth. The amount of recess shall be measured from the face of the exterior wall to face of glazing, exclusive of external detailing.*
5. *Pneumatic tube delivery system for all drive through facilities shall be either located underground, or integrated into the architecture of the drive through canopy. No exposed tube systems shall be allowed.*
6. The face of the service entrance section(s) shall be flush with the building façade and painted to match the building.
7. All exterior mechanical, utility, and communications equipment shall be screened by parapet or wall that matches the architectural color and finish of the building. Wall or parapet height for roof-mounted units shall meet or exceed the height of the tallest unit. Wall height for ground-mounted units shall be a minimum of 1 foot higher than the tallest unit.
8. All exterior conduit and raceways shall be painted to match the building.
9. No exterior roof ladders shall be allowed where they are visible to the public or from an off-site location.
10. Roof drainage systems shall be interior, except that overflow scuppers are permitted. If overflow scuppers are provided, they shall be integrated with the architectural design.

ATTACHMENT B

11. Wall enclosures for refuse bins or trash compactors shall be constructed of materials that are compatible with the building(s) on the site in terms of color and texture.
12. Dooley wall fencing shall not be allowed.
13. All walls shall match the architectural color, materials and finish of the building(s).

SITE DESIGN:**DRB Stipulations**

14. *Provide decorative pavers or other types of decorative paving materials at all pedestrian crossings within the parking areas and driveways*
15. *At the time of final plans directional ramps shall be provided on site to the satisfaction of the plan review staff.*
16. *At time of final plans the accessible route through the site shall be provided on the site plan.*
17. *Applicant shall provide a phasing plan for approval by staff for the site improvements prior to final plans submittal.*
18. *The future office building shall return to Development Review Board for approval.*

Ordinance

- A. Signage is not approved with this application and shall be submitted to the One Stop Shop for review, approval and permit.

N.A.O.S.:**DRB Stipulations**

19. *Applicant shall provide documentation from the State Land Department to show the agreement of any NAOS requirement being shared over the C-0 parcel and the C-2 parcel.*
20. *No structures or improvements are allowed to be dedicated within the NAOS easement. The applicant shall revise the NAOS to reflect these changes.*
21. *All areas disturbed by construction (including the installation of the Storm Drain required by this development) within the dedicated NAOS easement shall be revegetated back to the existing conditions. The NAOS exhibit shall reflect this area as revegetation area and within a data table for review. Revegetated NAOS shall not exceed thirty (30) percent of the total square footage dedicated.*

Ordinance

- B. Dedicated Natural Area Open Space shall meet width and contiguous area requirements as defined within the Environmentally Sensitive Lands Ordinance.

LANDSCAPE DESIGN:**DRB Stipulations**

22. *The landscape palette shall be revised to include only plant species selected from the Environmentally Sensitive Lands indigenous plant list and Arizona Department of Water Resources low water use/drought tolerant plants "PHX" list.*
23. *Landscape pots (36-inch diameter minimum and irrigated) and/or raised landscape planters and benches shall be provided in plaza areas, and in areas along the east and south sides of the drugstore building (Retail A).*
24. *At time of final plans the landscape plans shall be revised to show landscape between the parking lot and the trellis feature along the east elevation of the drugstore building (Retail A).*
25. *Upon removal of the salvageable native plants the salvage contractor shall submit completed Native Plant Tracking Form as well as a list identifying the tag numbers of the plants surviving salvage operations to*

the City's Inspection Services Unit within 3 months from the beginning of salvage operations and/or prior to the issuance of the Certificate of Occupancy.

26. Cut and fill slopes shall be rounded to blend with the existing contours of the adjacent natural grades.

Ordinance

C. Landscape palette shall be revised to comply with the *Environmentally Sensitive Ordinance*.

D. Landscape areas in decomposed granite or similar material shall not exceed more than seven (7) feet in any one (1) direction as measured between plants or plant canopies.

EXTERIOR LIGHTING DESIGN:

DRB Stipulations

27. All exterior luminaires shall meet all IESNA requirements for full cutoff, and shall be aimed downward and away from property line except for sign lighting.

28. The individual luminaire lamp shall not exceed 250 watts.

29. *The maximum height from finished graded to the bottom of the any exterior luminaire shall not exceed 14 feet.*

30. All exterior light poles, pole fixtures, and yokes, including bollards (when utilized) shall be a flat black or dark bronze.

31. No lighting shall be permitted in dedicated NAOS easements, and Vista Corridor easements.

32. Incorporate into the project's design, the following:

Parking Lot and Site Lighting:

- a. The maintained average horizontal illuminance level, at grade on the site shall not exceed 1.5 foot-candles.
- b. The maintained maximum horizontal illuminance level, at grade on the site, shall not exceed 6.0 foot-candles. All exterior luminaires shall be included in this calculation.
- c. The initial vertical illuminance at 6.0 foot above grade, along the entire property line (or 1 foot outside of any block wall exceeding 5 foot in height) shall not exceed .3 foot-candles. All exterior luminaires shall be included in this calculation.
- d. The maximum height for outdoor lighting is fourteen (14) feet, per case 24-ZN-1991.

Building Mounted Lighting:

- e. The maintained average horizontal illuminance at grade at the storefront entries including any spill light from store interior shall not exceed the maintained average horizontal illuminance level at grade of (5) foot-candles. The maintained maximum horizontal illuminance level at grade along the storefront entries shall not exceed fifteen (15) foot-candles.
- f. Building mounted lighting shall not exceed twelve (12) feet in height as measured from the finished grade to the fixture lens.
- g. All luminaires shall be recessed or shielded so the light source is not directly visible from property line. Cut sheets shall be provided with final plans submittal

Drive-Through Canopy Lighting

- g. The maintained average horizontal illuminance level below the bank drive-through canopy shall not exceed fifteen (15) foot-candles measured at grade. Fixtures shall be recessed within the canopy ceiling or otherwise shielded from view beyond the canopy.
- h. The maintained average horizontal illuminance level below the pharmacy drive-through canopy shall not exceed five (5) foot-candles measured at grade, and the maintained maximum horizontal illuminance level shall not exceed fifteen (15) foot-candles measured at grade. Fixtures shall be recessed within the canopy ceiling or otherwise shielded from view beyond the canopy.

Landscape Lighting

- i. All landscape lighting directed upward shall utilize the extension visor shields to limit the view of the lamp source.
- j. Landscaping lighting shall only be utilized to accent plant material.
- k. All landscape lighting directed upward, shall be aimed away from property line.
- l. The landscape lighting lamp shall be an incandescent or halogen incandescent source, and shall not exceed 35 watts.

VEHICULAR AND BICYCLE PARKING:

DRB Stipulations

- 33. Bike rack design shall be in conformance with City of Scottsdale M.A.G. Details unless otherwise approved in writing by the City of Scottsdale's Transportation Department.

ADDITIONAL PLANNING ITEMS:

DRB Stipulations

- 34. No exterior vending or display shall be allowed.
- 35. Flagpoles, if provided, shall be one piece, conical, and tapered.
- 36. Patio umbrellas shall be solid colors and shall not have any advertising in the form of signage or logos.

RELEVANT CASES:

Ordinance

- E. At the time of review, the applicable zoning case for the subject site was: 24-ZN-1991 and 1-MP-2004

ENGINEERING

The following stipulations are provided to aid the developer in submittal requirements, and are not intended to be all inclusive of project requirements. The developer shall submit engineering design reports and plans that demonstrate compliance with city ordinances, the Scottsdale Revised Code and the Design Standards and Policies Manual.

APPLICABLE DOCUMENTS AND PLANS:

37. Reference is made to the following plans and documents: The master drainage report for Windgate Ranch prepared by Argus Consulting, the master circulation report for Windgate Ranch prepared by Kirkham Michael and Associates, the circulation basis of design report prepared by Kimley-Horn and Associates, final plans for the improvement of Bell Road and Thompson Peak Parkway along the frontage of this site prepared by Gilbertson and Associates.

DRAINAGE AND FLOOD CONTROL:

DRB Stipulations

38. A final drainage report shall be submitted that demonstrates consistency with the conceptual drainage report approved in concept by the Planning and Development Services Department.
- a. Before the approval of improvement plans by city staff, the developer shall submit two (2) hard copies and one (1) compact disc copy of the complete final drainage report and plan.
 - b. *Demonstrate consistency with the approved master drainage report for the Windgate Ranch master planned community.*
 - c. *The preliminary grading and drainage plan shows underground detention via a number of underground tanks placed in series. The final drainage report will need to clearly illustrate the hydraulics in support of how the tanks provide detention and function both individually and as a whole. This requirement will include providing inflow and outflow hydrographs for each tank cluster and providing an outflow hydrograph for the outfall of the system.*
 - d. *The preliminary grading and drainage plan shows the outfall for the on-site drainage system located across the state land remainder parcel. This outfall should be tied into the 54-inch public storm drain extension within the site if possible. If not tied in on-site, this outfall will require a private storm drain easement across the state land parcel.*
 - e. *The preliminary grading and drainage plan shows the extension of the public 54-inch storm drain over the state land parcel. A public drainage easement will need to be provided over the state land parcel for the storm drain as a condition of plan approval.*

Ordinance

- F. On-site stormwater storage is required for the full 100-year, 2-hour storm event. The design of the storage basin capacity shall account for any proposed landscaping improvements. The landscaping improvements within the basins shall not reduce the capacity of the basins under the required volume.
- (1) Basin bleed-off rates shall be set so that the storage basins do not drain completely in less than 24 hours. Storage basins must drain completely within 36 hours.
 - (2) Infiltration of stormwater through the basin floor is not acceptable as the sole means of draining the basin. Stormwater storage basins should be designed to meter flow to the historic out-fall point. Where an historic out-fall point does not exist (or metering is not possible), other methods of discharge such as pumps, etc. may be considered.

- (3) Stormwater storage basins may not be constructed within utility easements or dedicated right-of-way (exceptions may be granted with written approval from appropriate utility company).
 - (4) Off-site runoff must enter and exit the site as it did historically.
 - (5) All development shall be designed to satisfactorily convey the 100-year peak discharge through the site without significant damage to structures.
- G. With the final improvement plans submittal to the Plan Review and Permit Services Division, the developer shall submit a final drainage report and plan, subject to City staff approval.
- H. Underground Stormwater Storage:
- (1) UNDERGROUND STORM WATER STORAGE. This site is approved to install an underground storage tank to temporarily store and discharge stormwater runoff for this site only.
 - (2) ACCESS. The underground storage tank shall provide a four-foot minimum diameter manhole for access.
 - (3) RESPONSIBILITY OF MAINTENANCE. Before the approval of improvement plans by city staff, the developer shall provide the Project Quality/Compliance Division with written documentation that states the following:
 - The developer and/or his assigns agree to maintain the underground storm water storage tank in perpetuity.
 - The developer and/or his assigns, the developer's engineer and contractor assume all liability for the design, construction and maintenance of the underground storm water storage tank and hold harmless the City from any such liability.
 - (4) LIMITS OF INUNDATION. The final drainage report shall verify limits of inundation in the event the underground storm water storage tank is in partial and full conditions (not fully drained) when the 100-year, 2-hour storm event occurs. (See item 2 above.)
 - (5) REFERENCE PERTINENT CODE. The final drainage report shall:
 - Provide a copy of the Scottsdale Revised Code Section 37-45 in the appendix.
 - Reference the Scottsdale Revised Code Section 37-45 and emphasize the importance of maintenance for the purposes of public health and safety. (See item 2 above.)
 - (6) SIGNAGE. The improvement plans shall provide for signage at each end of the underground storage tanks. The sign shall read, " Notice Underground Storm water Storage Tank" The size, color and exact locations to be determined by city staff.
 - (7) TANK DRAINAGE. A bleed-off line from the underground storage tanks located at the southwest corner of the site shall be provided. Storm water storage tanks should be designed to meter flow to the historic out-fall point. Where no out-fall exists (or metering is not possible), other methods of discharge may be considered.
 - (8) TANK SPECIFICATIONS. The storage tank shall be water tight with an oil and grease separator. See ASTM specifications for watertight testing.
 - (9) O & M SCHEDULE. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit an Operations and Maintenance (O & M) Manual. The O & M shall:
 - (10) Identify the owner of the storage tank and the name of the firm or associations maintaining the storage tank. The contact information for the owner the maintenance associations shall list names, addresses, phone numbers and emergency phone numbers.

- (11) Include provisions for emergency operations due to power failure, pump failure, clogged outlet structures.
- (12) Include a maintenance log including a maintenance schedule for pump, tank/vault, inlet/outlet structures.
- (13) Specify that a copy of the maintenance log and a certified Letter of Inspection shall be issued to the City Inspection Services annually.

ROADWAY, INTERSECTION, AND ACCESS DESIGN:

Streets and other related improvements:

STREET NAME	STREET TYPE	R.O.W. DEDICATION	ROADWAY IMPROVEMENT	CURB TYPE	BIKE PATH, SIDEWALK, TRAILS
Thompson Peak Parkway		None required	None required	N/A	8-foot wide sidewalk
Bell Road		None required	None required	N/A	8-foot wide sidewalk

DRB Stipulations

39. Additional Stipulations as project demands.

Ordinance

- I. The developer shall submit a detailed striping and signage plan with final plans. The striping and signage plan shall include all existing improvements and striping within 300 feet of the limits of construction, and all signs, striping, or other traffic control devices proposed to accommodate phased and ultimate construction.

INTERNAL CIRCULATION:

DRB Stipulations

- 40. The developer shall provide a minimum parking-aisle width of 24 feet.
- 41. The developer shall provide internal circulation that accommodates emergency and service vehicles with an outside turning radius of 45 feet and inside turning radius of 25 feet.
- 42. The developer shall provide a minimum of 120 feet of queuing distance for all "drive-thrus" (Bank, fast-food, etc.).
- 43. *The developer shall provide directional handicap ramps at all driveways.*
- 44. *Cross access easements shall be provided at both driveway entries shared with the state land remainder parcel. Evidence of recorded access easements will need to be provided to approve final plans.*
- 45. *The developer will need to illustrate how adequate access to the adjacent state land remainder parcel for the western driveway will be provided. The access will need to take into account the anticipated use of the driveway connection based on the anticipated future development of the state land remainder parcel to the satisfaction of final plans staff.*
- 46. *Final plans shall clearly show signing and striping for the drive through for building A. The configuration of the signing and striping and the location and configuration of the drive through will need to provide adequate queueing distance for cars using the drive through and provide adequate separation from the adjacent passing lane.*

Ordinance

- J. Parking areas shall be improved with a minimum of 2.5 inches of asphalt over 4 inches of aggregate base.

EASEMENTS AND DEDICATIONS

EASEMENT / DEDICATION	DESCRIPTION
Public Waterline Easement	Over all on site and off site water lines
Public Drainage Easement	Over all washes with 100-year flow rates of 50 cfs and greater, over the underground detention system, and over off site storm drainage.
Public Sight Visibility Easement	As discussed below.
Public Non Vehicular Access Easement	As discussed below.
Private Sewer Easement	Over private off site sewer.

DRB Stipulations

47. *The ALTA provided will need to be updated to reflect recent right of way and easement dedications from the Bell Road and Thompson Peak Parkway projects along the frontages of this site. The existence of the right of way located along Bell Road will need to be verified and, if not present as shown on the ALTA, will need to be dedicated.*
48. *Street lights will be required at the intersection of Bell and Thompson Peak and a light at each entrance into the center from each public street. These lights may have been included within the Bell Road and Thompson Peak Improvements. Additional information will come by separate cover.*
49. Sight distance easements shall be dedicated over sight distance triangles.
- Sight distance triangles must be shown on final plans to be clear of landscaping, signs, or other visibility obstructions between 2 feet and 7 feet in height.
 - Refer to the following figures: 3.1-13 and 3.1-14 of Section 3.1 of the City's Design Standards and Policies Manual, published December 1999.
50. Vehicular Non-Access Easement:
- Prior to final plan approval, the developer shall dedicate a 1-foot wide vehicular non-access easement along the property frontage on Bell Road and Thompson Peak Parkway except at the approved driveway location.
51. Indemnity Agreements:
- When substantial improvements or landscaping are proposed within a utility easement, an indemnity agreement shall be required. The agreement shall acknowledge the right of the City to access the easement as necessary for service or emergencies without responsibility for the replacement or repair of any improvements or landscaping within the easement.

Ordinance**K. Drainage Easement:**

- (1) Drainage and flood control easements shall be dedicated to the City to the limits of inundation for all vista corridor washes, for all washes having a discharge rate of ____ cfs or more, for all FEMA regulatory floodways to the extent of the 100-year base flood elevation, and for all stormwater storage basins. All drainage and flood control easements shall be dedicated to the City with maintenance responsibility specified to be that of the property owner.

L. Waterline and Sanitary Sewer Easements:

- (1) Before the issuance of any building permit for the site, the developer shall dedicate to the City, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all water easements necessary to serve the site.

REFUSE:**DRB Stipulations**

52. Refuse enclosures shall be constructed to City of Scottsdale's standards. Details for construction of trash enclosures can be found in the City of Scottsdale Supplements to MAG Standards. The following standard details apply: standard details #2146-1 and 2(2 is grease containment) for single enclosures and #2147-1 and 2(2 is grease containment) for double enclosures.
53. *The developer will need to obtain approval from City of Scottsdale Solid Waste Services for the removal of the refuse enclosure by the proposed bank and for any proposed reduction in the total number of required enclosures as discussed below.*
54. Enclosures must:
 - a. Provide adequate truck turning/backing movements for a design vehicle of turning radius R (minimum) = 45 feet vehicle length of L = 40 feet.
 - b. Be positioned to facilitate collection without "backtracking."
 - c. Be easily accessible by a simple route.
 - d. Not require backing more than 35 feet.
 - e. Not be located on dead-end parking aisles.
 - f. Enclosures serviced on one side of a drive must be positioned at a 30-degree angle to the centerline of the drive.

Ordinance

M. Refuse enclosures are required as follows:

- (1) Restaurants: One per restaurant
- (2) Commercial Building Space: One for 0 to 20,000 s.f., Two for 20,001 to 40,000 s.f., Three for 40,001 to 60,000 s.f., etc.

N. Underground vault-type containers are not allowed.

O. Refuse collection methods, i.e., site plan circulation will be approved at final plan review.

P. Refuse collection can be provided by the City of Scottsdale's Sanitation Division, at 480-312-5600.

WATER AND WASTEWATER STIPULATIONS

The following stipulations are provided to aid the developer in submittal requirements, and are not intended to be all-inclusive of project requirements. Water and sewer lines and services shall be in compliance with City Engineering Water and Sewer Ordinance, the Scottsdale Revised Code and Sections 4 and 5 of the Design Standards and Policies Manual.

DRB Stipulations

55. The utility plan shows water and sewer lines for this development located north of and parallel to Bell Road within the state land remainder parcel located north and west of this site. This alignment will require the dedication of public water easement over the state parcel. The state will need to be informed of the City's requirements for future development of the parcel within the water easement and the impact to the layout of the site. In short, there will be no structures or substantial improvements allowed within the easement, trees or larger cacti within 7 feet of the water line will not be allowed, and parking within the

easement will need to be minimized and will be strongly discouraged. The water line will also require an access road along the pipe designed in accordance with the DSPM. Additionally, a private sewer easement that allows this site to sewer over the state parcel will need to be provided as a condition of plan approval.

56. The proposed public water line will need to be located within a minimum 20-foot-wide water easement. The proposed private sewer and storm drain system, including underground storage tanks, will not be allowed to be located within the water easement. In any case, private utilities shall provide a minimum of 6 feet of clearance to the edge of the easement and to the water line.
57. Where walls cross or run parallel with public water mains, public sewer mains, or public fire lines the following shall apply:
- a. For walls constructed parallel to these pipes, the walls shall be a minimum of six (6) feet from the outside diameter of the pipe.
 - b. For walls constructed across or perpendicular to these pipes, the walls shall be constructed with gates or removable wall panels for maintenance and emergency access.

WATER:

DRB Stipulations

58. Basis of Design Report (Water):

- a. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall obtain approval of the Water Basis of Design Report from the City's Water Resources Department. The report shall conform to the draft Water and Wastewater Report Guidelines available from the City's Water Resources Department.

Ordinance

- Q. The water system for this project shall meet required health standards and shall have sufficient volume and pressure for domestic use and fire protection.

WASTEWATER:

DRB Stipulations

59. Wastewater Basis of Design Report. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall obtain approval of the Wastewater Basis of Design Report from the City's Water Resources Department. The report shall conform to the draft Water and Wastewater Report Guidelines available from the City's Water Resources Department.

60. On-site sanitary sewer shall be privately owned and maintained.

Ordinance

- R. Privately owned sanitary sewer shall not run parallel within the waterline easement.

Ordinance

- S. Section 404 permits. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer's engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]